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# THE DOCKET

Vol. XXI, No. 5

THE VILLANOVA SCHOOL OF LAW

January, 1985

## South African Minister Speaks

### Apartheid Policy Denounced

by Tom O'Keefe  
Monday, December 10, 1984 was International Human Rights Day. On that same day in Oslo, Norway, Bishop Desmond Tutu of South Africa received the Nobel Peace Prize. Meanwhile, on the

other side of the Atlantic, the Rev. Richard J. Stevens, also of South Africa, was a guest speaker at a forum sponsored by the Villanova Chapter of Amnesty International.

The Rev. Stevens is a Minister

in the Dutch Reformed Church. He is also a prominent South African theologian, scholar and human rights activist. In 1980 he was jailed for speaking out against apartheid in his native South Africa. He was released following a massive letter writing campaign sponsored by various chapters of Amnesty International from throughout the world. He has been living in the United States since his release, and is presently a Ph.D. candidate at the Princeton Theological Seminary. He hopes to return to his native land in June.

Stevens began his remarks by emphasizing that the individual can make a difference when, for example, he writes a letter to the authorities of a country holding prisoners of conscience. "These countries have very bad international images," he said, and massive letter writing campaigns make them feel very uncomfortable. In his own case, Stevens noted that as the amount of letters on his behalf to South Africa authorities began to mount, his cell conditions went "from sleeping on the bare floor, to a mattress, to

finally a bed." Stevens pointed out in passing that all the other political prisoners housed in the jail where he was incarcerated were only children who ranged in ages from 13 to 18.

Following this brief introduction, Stevens began the heart of his presentation with a date, 1948. It was in 1948 when the ruling National Party in South Africa began its policy of apartheid, or separation of the races. Everyone in South Africa was pegged into a specific racial category. Those categories included White, Colored, Indian, and Black. A small group of persons, in order to show their opposition to these arbitrary racial categories, petitioned the government to have a fifth category set up, that of "Bastard." Ironically, the request was granted. Because the National Party did not know which peg to put Orientals in, it finally settled for categorizing them as "Black." As a result, Stevens joked, the South African government "has been able to do what Science and the Law of Nature can never do. That is, make a Chinese person black."

Stevens went on to say that in South Africa today there are four and a half million persons classified as Whites of which 2 and a half million are Afrikaaner, the descendants of Dutch and French Huguenots who settled in South Africa in the 16th century. Another three million are Coloreds, or people of mixed race. Approximately 1 million are Indians. Lastly, forming the majority of the population are those persons classified as Blacks who number well over 23 million persons. There is, therefore, a ratio of one white for every six non-whites in South Africa.

Despite the large numbers of non-whites in the population, they only own a bare 16 percent of the total land in South Africa. Usually it is worn out, arid land. Furthermore, a shocking 87 percent of the country's wealth is concentrated in the hands of whites.

Stevens avoided any direct criticism of the Reagan administration's present policy of "constructive engagement" to

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## VLS Sponsors 4th Annual Counseling Competition

by Scott Fegley

The fourth Annual Client Interviewing and Counseling Competition will be held from Monday, February 4, 1985 through Friday, February 22, 1985. All second and third-year students are strongly encouraged to participate in the competition as student lawyers. First-year students and others with acting talent are invited to participate as clients. The winning team will represent Villanova in the National Client Interviewing and Counseling Competition sponsored by the American Bar Association.



Dean Garbarino

The student attorneys in the competition are given a short memorandum from the legal secretary setting up the appointment and providing some sketchy information about the client's problem. There are no lengthy briefs or memos involved. The students are then judged on their lawyer-like professionalism, their ability to elicit the facts, competency in analyzing the alternatives available to the client, and related practical client-oriented advice.

Each session is conducted by a team of two student lawyers and one client. It will last a maximum of forty-five minutes, consisting of a maximum of thirty minutes interviewing and counseling the client and fifteen minutes either (a) discussing the matter and/or dictating file memos and letters with co-counsel, or (b) making a post-interview presentation to the judges of required follow-up research and observations and strategy with regard to the client's problem. At the end of the session,

there will be a fifteen-minute critique period by the judges with the two student attorneys.

The judging is done by panels consisting of two distinguished alumni and a member of the faculty. According to Dean Garbarino, the alumni response so far has been tremendous.

This year's topic will be "wills, trust, and estates." Interested students may sign up their team on the list in the Receptionist's office. There is also a tape of the final round of last year's competition on file in the library for those who would like a preview of the manner in which the competition is conducted. Client counseling and interviewing takes up a considerable amount of an attorney's time. Dean Garbarino hopes the students will take this opportunity to gain experience in this seldom emphasized but practical and important area of the law.

## Opens Closed Doors to Press

### SBA Bickers over Budget

by James Watkins

In a marathon meeting on Wednesday, January 16, that ended just before midnight, the Student Bar Association allocated \$3350 to sixteen student organizations. The organizations had sought over \$6400 in funding for the Spring semester. The SBA also budgeted an additional \$3150 to fund its own activities including the annual Barrister's Ball.

The first part of the meeting was closed to the public while SBA members debated whether to allow a *Docket* editor to be present during their traditionally closed-door budget sessions. Sources within the SBA hierarchy reported that President Emil Giordano urged SBA officers to open their meeting to the press.

One officer pointed out that the SBA constitution requires that all meetings be open to the public and that such language would obviously include newspaper reporters. Another officer countered that the constitution should be immediately amended to provide for closed-door budget meetings, citing the need for frank discussions of the merits of each student organization's budget request. An open meeting would tend to chill such discussions, the officer argued.

The issue was put to a vote and pursuant to an unreported majority, the *Docket* was allowed to attend the meeting subject to the *Docket's* agreement not to quote SBA officers by name. Giordano excepted his own remarks from this restriction, however, stating that he was prepared to "back-up" any comments he made and was therefore unconcerned that his remarks might be reported.



Emil Giordano

Under the budget meeting format, a representative of each student group seeking SBA funding made a short presentation before the SBA officers. Only one group's representative was admitted to the meeting room at a time and was subjected to a brief question and answer period regarding the itemized written budget request submitted by each organization. In between these presentations and at the conclusion of all budget request presentations, the SBA officers discussed the merits of each request and agreed upon a specific allocation amount.

A predominant concern throughout the deliberations was the lack of available funds to fulfill all meritorious requests. As a result, most organizations received an amount far below what they had requested. The SBA's policy of imputing \$3 in dues for each organization member further reduced several budget requests.

The *Docket* received the largest allocation, primarily to finance

a *Docket*-sponsored TGIF and an "Ask the Dean" presentation currently in the planning stage.

The Women's Law Caucus budget request was slashed by nearly two-thirds as SBA officers voted not to provide funding for the organization's proposed trip to New York to attend the National Conference on Women and the Law next March.

The SBA also declined to completely fund Phi Delta Phi's "initiation night," but did attempt to provide monies for that organization's events which will benefit the Ed Huber Memorial Scholarship Fund.

The International Law Society's planned symposium on nuclear disarmament received a positive response from the SBA officers. Several officers remarked that the Society always provided "quality speakers" at its events. One officer credited the Society's success to the "clout" wielded by its advisor, international law scholar, Professor John Murphy.

Another major recipient of funding was the Rugby Club, whose annual party was cited by some SBA officers as one of the school's best. The SBA voted to fund this year's party in the hope that proceeds generated from admission tickets would in turn fund the Rugby Club's annual tournament. A point of concern was the Club's request for \$125 in medical supplies. The request was granted with the proviso that this recurring expense be lessened next year by storing the medical supply kit in the SBA office over the summer. "At the end of the year, people just walk away with

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## Just Dumped!



"Just Dumped"



# EDITORIALS

## Unfair Academic Disadvantage?

Soon after acceptance to Villanova Law School, minority students receive a personal invitation to attend the VLS First Year Orientation Program. The invitation comes from the Program director and the Black American Law Student's Association. The invitation is only extended to those students who are classified as members of a disadvantaged ethnic minority.

The Orientation Program, in operation for four years, was approved by Faculty Resolution in 1981. The Faculty Committee decided to limit membership solely to ethnic minorities. Directorship of the Program is held, on a rotating basis, by Professors Cannon, Dellapenna and Turkington. One of the Program Directors described the focus of the Program as "introducing students to the basic skills required in first year by emphasizing technique rather than substantive content."

The minority student attends a three-week, nine-session course on the proper techniques of outlining, case briefing, and writing answers to exam questions. Transportation to and from the Program is reimbursed to the student-participant, by the University, at a rate of 22¢ per mile. Two years ago the participants exhaustively studied the Nuisance chapter of the Torts casebook. After they read each case a brief was handed in to the Program Director and also to an assigned member of BALSA. These briefs were then critiqued and returned to the participant. At the end of the chapter the participants were helped to prepare outlines of the chapter; which were also critiqued and returned. Finally, the participants took a practice law school exam which was critiqued and returned to them.

A minority student who recently participated in the Program found it to be extremely helpful during first year. "The Orientation Program," he said, "is informative, beneficial and also helps ease the transition into law school. It helps to encourage a feeling of non-hostility of environment and helps get rid of anxieties." At the end of the Orientation Program each participant is personally assigned two colleagues to help with the day-to-day problems of first year.

To avoid violating the Honor Code provisions on "unfair academic advantage," it is necessary that the purpose of the Program not be to help the minority student through the academic side of law school. Rather, the purpose of the Orientation Program must be to give the program participants an equal chance, as all others, to succeed on her/his own in law school.

Undeniably, this Program is necessary to help disadvantaged students start out in law school with the same chance of success as everyone else. But the program should not be used as a leg up by those students who are merely members of a minority group and are not suffering from some academic disadvantage.

Currently the Orientation Program is open to all minority students, regardless of their need. This is not prudent administration. There must be a meaningful exercise of discretion to avoid conferring an unfair academic advantage upon some students. Students graduating from Ivy League Universities, with high grade point averages, even if they are members of an ethnic minority, should not be invited to participate in the Orientation Program. Currently, they are invited to participate. Minority status should be a factor in this exercise of discretion, but it cannot be the only factor. This is not a remedial program. It is a Program that should be designed to put those who are somehow disadvantaged on the same footing, give them the same chance of success, as others.

Disadvantage, and not ethnic origin, must be the criterion used to separate those who actually need the Orientation Program from those who don't. It is not enough that the Program serves laudable intentions. It must also be equitably administered to avoid unfair academic advantage. A Program dedicated to helping should not be allowed to work a disadvantage upon the rest of the student body.

The task of deciding which students need the Orientation Program is an extremely difficult one perhaps best handled by a Faculty/Admissions committee. Obviously the Program is too costly for it to be utilized by the entire student body; however, this is not a valid excuse for avoiding an exercise of discretion. If there is only a limited amount of money, then its use should be strictly examined. The money should only be spent on those who actually demonstrate a need for the Orientation Program to equalize their chances of success in law school.

Hopefully, the requirement of demonstrating "need" will not have a chilling effect on those who the Orientation Program is intended to help. The Orientation Program should be open to all incoming students, but must at all costs avoid demeaning those who apply for admission; only those who show "need" should be admitted.

(Continued on page 3)

## Stoking Up The Woodpile

I remember a fraternity convention I attended when I was a senior in college. More specifically, I remember the speech the president of our fraternity, a Mr. David Westol, gave at that convention. President Westol spoke of his family's vacation home in the mountains. When he was a freshman in college, his father gave him a key to the front door. His father told him he could use the cabin anytime he wished. He could have friends up to ski, to go fishing, or just to unwind for a weekend. But after every visit, he was to leave the cabin clean and neat, and the woodpile a little higher than when he found it. The message President Westol tried to get across to the brotherhood was, "Don't just drift through your years in the fraternity taking what you can and doing only what is expected of you in return. Do a little more. Leave the fraternity a little better off than it was when you got there." I've found President Westol's philosophy to be good advice no matter where one goes.

At Villanova, I have found, in general, an apathetic attitude among students as to what goes on in the school outside of the classroom. I have found an unwillingness among students to get involved in anything beyond their regular studies. Even the TGIF social events are not as well attended as they could be. I realize that the study of law imposes a heavy workload, and many hours are spent in the library or at home leafing through casebooks. I also realize how important those all-encompassing grades are. I am a law student, also. However, a few hours each week devoted to another activity you might even enjoy cannot hurt and may even help your study habits.

One has nothing to lose and much to gain through participation in a Villanova organization. Involvement can break up the daily routine and relieve the pressure of tedious study. Your opinions and ideas might bring about a change somewhere. At the end of the year, you may even feel you have accomplished something besides the completion of another year of law school. For those of us who are not academic superstars, the added involvement may provide the extra appeal needed to get us that first job.

I am amazed when I think of the talent that Villanova Law School has amassed within its walls. In my section alone, I know of two editors of college newspapers, a president of his college's student government, others who were involved in student government to lesser degrees, a few artists, musicians, and athletes. Everyone in the law school ranked in the top percentages of his or her undergraduate class. There is no one in the law school who can say, "I'm not good at anything."

Villanova Law School needs your collective talents whether it be in the student government, the newspaper staff, or in the intramural program. The law school, in itself, is a community, not a classroom. The classroom environment does not simulate working conditions in the outside world. It does not give you the opportunity to work with people. Law school does not need to be three years of cruel and unusual punishment. Like anything, your law school experience will be largely what you make of it. Leave your mark on Villanova. Leave the woodpile a little higher than when you found it.

S.I.F.

"Mr. David Westol is an attorney with the District Attorney's office of Kalamazoo, Michigan."

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## OP-ED

## Reader Cites Need for Dialogue

by Michael Logue

The November and December issues of *The Docket* contained seven articles addressing intensely political and moral issues — Israel, Central America, South Africa, the presidential elections, and artificial insemination. All of these topics have in the past been considered legitimate areas of discussion in the pages of the *Docket*. None of these articles were written by acknowledged experts on the subjects discussed. One article, an editorial entitled "No More Blank Checks," was the subject of several very angry responses by readers.

*"No More Blank Checks" probably failed to consider our strong moral commitment to Israel.*

The editorial expressed the opinion of its author that the U.S. government should more closely scrutinize its foreign aid policy towards Israel and that more accountability should be demanded of our ally for its actions in the Middle East. Response to the editorial was swift. Phrases such as "anti-Semitism," "the Big Lie," and "inflammatory" showed up in several responses. Some complained that the editorial was one-sided and inaccurate, while others fired off comparisons of Israel to its Arab neighbors. Some

complained that the article was especially offensive because it purported to represent the collective opinion of the *Docket* editorial board. Many people in the halls of VLS complained that the subject matter discussed in the editorial was inappropriate for a law school newspaper.

Many of these responses to "No More Blank Checks" strike a painful and rather ominous chord. The role of an editorial is to state a reasoned opinion on a topical subject so as to hopefully illuminate that subject for its readers. As a natural consequence, it is often subjected to microscopic scrutiny and criticism of those readers.

In this case though, I believe it wholly unnecessary to include in that criticism intimations that the editorial was either inappropriate subject matter or in any way anti-Semitic. Such labels merely serve to cloud the many substantive issues involved and stifle meaningful dialogue on the subject.

The *Docket* has always been a

*"The Docket has always been a forum for discussion of political, social and moral issues."*

forum for discussion of political, social and moral issues. It is merely a reflection of the legal profession as a whole and its es-

tensive involvement in these and many other areas outside the courtroom. To say that the subject matter of the editorial was somehow inappropriate is simply to say that the *Docket* should ignore an area in which members of our profession play a tremendous role.

Of course any discussion involving the State of Israel necessarily brings with it religious and moral implications which serve to heighten the sensitivities of all involved, including American Jews, Palestinian refugees, and heavily burdened taxpayers. The United States has made a strong commitment to preserving the existence of Israel. What makes this unique is that unlike most U.S. foreign policy decisions, this one has been based as much or more so on moral principles as on geopolitical concerns. As a result of pre-World War II decisions and the full realization of the extent of Hitler's massacre of the Jewish people, the U.S. decided to recognize and provide unwavering support for the newly created State of Israel. While many strategic considerations went into our decision to support Israel, much of our support was based on purely moral concerns. As President Carter's failed attempt at emphasizing human rights in our foreign policy so clearly indicates, decisions in this area are normally based on the cold, hard realities of power politics and moral concerns are fully addressed only when consistent with strategic aims.

"No More Blank Checks" probably failed to fully consider our

strong moral commitment to Israel. But, what those reacting negatively to the editorial failed to take into account are the financial and political realities mitigating against our huge monetary and military support of our ally. Without getting too involved in the substantive debate itself, I would like to make several observations. First, Israel's long-term survival will be based almost entirely on its ability to co-exist with its neighbors. While it can more than take care of itself on the battlefield, the long-term economic and social consequences of Israel's violent relationship with the Arabs may crush the country from within.

Second, the world economy was thrown into turmoil by a series of oil boycotts and price hikes by

The *Jewish Exponent* published what I considered to be an excellent and appropriate response to "No More Blank Checks." It attacked the editorial point by point, defending current U.S. and Israeli policy. By doing so, the *Jewish Exponent* chose to treat the editorial with the respect it deserved, that of a thoughtful opinion by a concerned student with a point of view. It did not deem it necessary to criticize the integrity of the author for writing it or the *Docket* for publishing it. This is in stark contrast to some at VLS who "... do not want to legitimize a totally inappropriate editorial by responding to it point by point." (*Editorial Was Inappropriate, Docket*, Dec. '84).

*"The U.S. can ill afford not to cultivate good relationships with as many divergent groups as possible in the region."*

OPEC. Israel has no oil. It is therefore in the best interests of the U.S. to maintain good relations and stability throughout the region in order to insure against a repeat of OPEC pressure. One merely has to scan the geopolitical map of the region to see that the Soviet Union sits poised on Iran's northern and eastern borders, has several client states on the Saudi Arabian border, is helping Ethiopia celebrate its tenth anniversary under a Marxist regime several hundred miles from Saudi oil fields, and supports several other governments and terrorist groups in the region. The U.S. can ill afford not to cultivate good relationships with as many divergent groups as possible in the region. Indeed, in the long run Israel must support our efforts in this direction. The U.S. unlike Israel or the Soviet Union, enjoys a fairly good, if precarious, political standing throughout the Middle East and alone is currently able to work effectively towards the stability so vital to Israel's long term survival. It may in fact be necessary to put tighter restrictions on our ally through demanding more accountability for its actions, in order to help achieve desired results.

Very truly yours,  
Meyer A. Bushman  
Chairman - International  
Affairs Committee  
Eastern Penna.-Delaware  
Region Anti-Defamation  
League of B'nai B'rith

Dear Docket,

Hey, if we have to pay \$50.00 to park our cars in the VLS lot, why isn't it plowed when the snow falls?

Bernie Resnick  
Marta Rossman

I do not say that the particulars contained in "No More Blank Checks" were necessarily accurate. Nor do I accept at face value assertions that they were not. It should be clear to all that what is "accurate" or "inaccurate," in this case especially, will most often depend on your point of view.

What I do say is that by attaching "totally inappropriate," "the Big Lie" and "anti-Semitism" labels to the article, critics merely serve to place intellectually off-limits a red hot political, social, and moral issue whose ramifications cannot be understated. Because of the intense personal interest that many take on this issue it is natural that some take personal offense to perceived slights or insults. This is the unfortunate residue which accompanies any highly charged issue. It is imperative that such accusations be avoided at all costs, for to allow them to slip into the dialogue results in making many persons with various and differing opinions wary of expressing them.

In the face of such comments many will shy away from the discussion and, unfortunately, from the search for a solution. The result then is that the subject matter is effectively removed from the field of reasoned debate and is relegated to the murky and dangerous area of uninformed personal opinion and bias, the last place any discussion of Israel belongs.

Michael Logue '86

## Israel Editorial: No More Blank Checks

Dear Sir:

Your editorial, "No More Blank Checks," shows a lack of understanding of the U.S.-Israeli relationship, and your charges against Israel indicate a misreading of world events.

In asserting that U.S. aid to Israel is the result of lobbying by the American-Israeli Public Affairs Committee, you ignore the fact that Israel has long enjoyed broad support among the American public. This support has been based on Israel's democratic nature, the high level of civil liberties enjoyed by her citizens, and her continued efforts to seek a peaceful solution to the conflict in the Middle East. The Congress and administration consistently support Israel because their constituents and U.S. interests demand it.

Previous to 1974, U.S. aid to the Arab world far exceeded our aid to Israel, threatening to destroy her. Since 1974, the U.S. has helped to strengthen Israel and has stood by her right to live in peace. This U.S. position, clearly understood by the Arab nations, has deterred them from further attacks and

was instrumental in bringing about the Israeli-Egyptian peace treaty.

Your assertion that the U.S. receives no benefits from Israel, and the implication that wise U.S. policy would abandon her in favor of the Arab states, ignored the history of our friendship. Israel has provided the U.S. with invaluable information about international terrorism, Soviet contacts in the Middle East, and the vulnerability of advanced Soviet weapons, as well as the captured weapons themselves. Israel's military successes with U.S. weapons have increased confidence in NATO's position vis-a-versa the Warsaw Pact as well as the desirability of U.S. weapons in general.

You characterize Israel as an arrogant international outlaw, viewed by the U.S. with a double standard, but the double standard lies in your statement. You criticize Israel for retaliating against the PLO and for eliminating the frightening prospect of an Iraqi nuclear capability. Yet you ignore the threat these represented. Perhaps you should direct some criti-

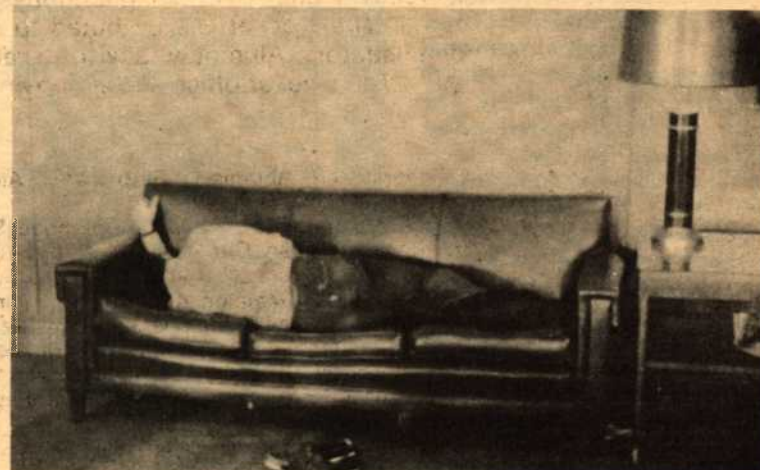
cism toward those Arab nations that maintain a state of war against Israel.

The U.S.-Israel relationship is strong and highly beneficial to both countries. The U.S. gains not only by fulfilling our moral obligation to assist a democratic ally in its fight for survival. We also gain valuable information, world respect as a reliable ally, and the friendship of a very capable, democratic nation which is both willing and able to strengthen U.S. interests in the Middle East.

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Such a selection process will require a great amount of thought and work, but it is a task that must be accomplished to avoid conferring an unfair academic advantage upon those students who do not need the program but participate anyway. The Program's purposes would be better served by allowing those students who have never worked in the legal environment, and been away from academia for many years, to participate. Also, those who have a great discrepancy between G.P.A. and LSAT scores, or certain physical or learning disabilities, regardless of ethnic origin, should be considered. Other categories need to be delineated by a competent committee.

The intentions behind the Orientation Program cannot be validly criticized; however, the Program's administration, or actual lack thereof, cannot be allowed to continue as it is.



Opinions expressed on the Op-Ed page do not necessarily represent the opinions of *The Docket* board of editors, nor those of the faculty or administration of Villanova University.



# Note Cases I Have Known and Loved

by Prof. Steven Finz

It's late. You've been in the law library for hours, reading the cases in your casebook. They're all beginning to look alike. You're getting tired. Your eyes are burning. You desperately need a break. Something to distract you so that the stuff your mind has been absorbing can have a chance to crystallize. A movie would be nice. A comic book, maybe. Even an old re-run on TV. But your conscience won't let you. You've committed

yourself to stay with it until midnight, and stay with it you shall.

Maybe you didn't know, but the breaks are built right into the casebook: the note cases. A good note case can save your sanity. And every casebook is loaded with them. The editors put them in to elaborate on the points made by the principle cases, but also to lighten the load. Nobody reads them all. So selecting a citation from the notes and pulling the reporter off the shelf to read it be-

comes an intimate kind of experience. After you've done it, that case becomes your own personal property — a kind of inside joke that you can share with your colleagues or not, at your discretion.

Take the case of Angelo Laudiero, known to his friends as a good man (with a gun). The *Laudiero* case is cited without any fanfare in a note which appears on page 300 of a casebook used for

many Evidence courses (Louisell, Kaplan, and Waltz, *Cases and Materials on Evidence Fourth Edition*, The Foundation Press, Inc., Mineola, N.Y., 1981). The subject is character evidence.

Character evidence may be offered by a criminal defendant in an effort to convince a jury that he's not the kind of fellow who would have done the dirty deed with which he's been charged. In *People v. Laudiero*, 85 N.E. 132, the defendant was charged with murder. Four eyewitnesses testified that they saw him walk up to one Michael D'Ambro on the street, grab him around the head, place a pistol to his temple, and fire. Then, they said, while D'Ambro lay on the ground, the defendant pumped another couple of bullets into him. Other witnesses testified that Laudiero had been in the process of killing another man a year earlier, and that D'Ambro had prevented him from doing so, for which Laudiero had sworn revenge.

The defendant testified in his own behalf, admitting that he exchanged shots with one of the eyewitnesses. But he denied shooting or even seeing D'Ambro. Because things did not look good for Laudiero, his attorney decided to bring in a character witness to prove his good reputation. But the witness turned out to be a character, and the strategy proved to be a mistake.

The witness testified that she had known the defendant for a long time. In fact, she said, they had grown up together back in Italy. She knew his reputation for peace and quiet, and said that it was a good one. Like all who knew him, she considered him to be a good man. After her testimony, Laudiero's attorney handed the witness over to the prosecutor for cross-examination. And what a cross-examination it was.

First, the D.A. asked whether she had ever heard of Laudiero shooting anyone else since he came to America. The witness said that she had. "How many peo-

ple?" he asked. She wasn't sure, but she knew that it was about three or four. The prosecutor wanted to know if she knew any of their names. The witness apologized that she only knew two of them, but could not recall the names of the others. "Did she ever hear of his shooting anyone while living in Italy?" she was asked. Well, maybe not shooting, she replied, but she knew that he had done some time in an Italian jail for fighting. Finally, according to the court, "She concluded her testimony by stating that she still considered him a good man."

Laudiero was convicted, of course, and on appeal, his attorney argued that the damaging testimony of the character witness should not have been admitted. Although the prosecution is not ordinarily permitted to introduce evidence to establish that the defendant is of bad character, the court rejected Laudiero's argument. Since her testimony depended on his reputation in the community, it ruled, cross-examination about what she had heard was proper.

Laudiero didn't give up. Some time after his conviction, he moved for a new trial. It seemed that while he was in prison, a cellmate told him about a fellow named Joe who had actually done the shooting. The cellmate didn't know Joe's last name or where to find him, since Joe had just killed someone else and was on the lam.

Apparently the court didn't think any more of the story than the rest of us, because the denial of Laudiero's motion was affirmed without explanation. For our purposes none was required, because after reading *People v. Laudiero* even a bone-weary law student is ready to go back to work.

Steven Finz is professor of law at Western State University in San Diego. His *Sum and Substance* review tapes, (*Finz on Torts*) are known to law students across the country. His radio spot, "Legally Speaking," is heard in San Diego.

## Weisman's World

### Let Thy Will Be Done

by Dan Weisman

Hey kids, guess what? While we were all busy with finals and the recovery thereof, the Federal Department of Energy (DOE) wrestled with a long range problem: disposal of nuclear wastes. This deserves commendation. Unfortunately, the DOE managed to find the stupidest method possible. Well, not the stupidest... However, they came close.

Specifically, the DOE, in an amazing burst of insight, discovered that we will have to separate nuclear waste from the environment and human interference for approximately 10,000 years. Some critics give higher estimates, up to 200,000 years. Two problems present themselves: How do we separate the garbage from the environment for that long? and, How do we tell future generations to stay away?

For the former, the DOE suggests burial in "geologically stable" salt domes which supposedly would be immune from continental drift, ice ages and other assorted troubles.

The latter question is more difficult. When dealing with human beings, it is probably impossible to design a foolproof system since fools are so bloody creative. Nevertheless, the DOE tried.

Their solution was deceptively simple, mark the spot carefully and invent folklore to give the area a quasi-religious taboo. The DOE's own report suggesting this idea recommends that "information be alunched and articially passed on into the short-term and long-term future with the supplementary aid of folkloristic devices, in particular a combination of an artificially created and nurtured ritual-and-legend. A ritual annually renewed can be foreseen, with the legend retold year by year. The actual "truth" would be entrusted to — what we might call for dramatic emphasis — an "atomic priesthood," that is, a commission."

Aside from the foolproofing problem, there are a few other drawbacks to this scheme. First, the plan is unconstitutional. Establishing an atomic priesthood with its own rituals would be creating a national religion supported by tax dollars. Even under the strictest interpretation, this would violate the First Amendment's Establishment Clause. Of course, we could always repeal the First Amendment, but do we really want to?

Also, the oldest written records to survive (ancient Sumerian) are

only 5,000 years old. Chaucer wrote in England about 800 years ago and cannot be understood by laymen. Shakespeare wrote about 400 years ago and is fairly difficult to understand. Alexander Haig is writing today and cannot be understood by anyone. It is rather arrogant to assume that we of the 20th century can beat this track record and effectively communicate 10,000 years into the future.

Finally, there's the sheer silliness of the proposal. Imagine for a moment life a few thousand years from now. Children will start the school day by asking the gods to protect them from Father Radiation and his evil minions, the Alpha Particles. Later, they'll recite Mother Gamma Ray's nursery rhymes, "The time is now a quarter to nine. Don't go near the atomic shrine. If you do, you'll glow blue." And remember, we're going to have to pay for this.

Notes: (1) One DOE researcher suggested marking the site with cartoons — perhaps Fred Flintstone meets the Plutonium monster. (2) Another DOE researcher wanted to mark the waste dump site with huge monoliths. Could there be a better name for it than plastic-henge?

## First Impressions... Murphy's Law School

by Ian Scott Montgomery

Imagine if you can, a red brick building of colonial architecture practically hidden by the ivy that covers its walls. As you walk inside the stately foyer with its marble columns and floor, you pass somber statues of great statesmen and philosophers. In the air, there is the faint odor of musty books filled with the knowledge of the ages. In front of you, above great mahogany doors that lead into a spacious lecture hall, an inscription reads, "It is difficult to soar with the eagles when you work with turkeys." Welcome to Murphy's Law School.

In the lecture hall, a class of first-year students listens attentively to the professor, a Professor Cooper. One student asks a question about the legal terminology in a particularly difficult passage of a contracts case. Professor Cooper replies, "If you do not understand a particular word in a piece of technical writing, ignore it. The piece will make perfect sense without it." Pens fly as these words are inscribed on numerous legal pads.

In the law library, upperclassmen are engaged in endless research. There are no answers in legal research, only cross-references. Still, the students labor on because, according to Murphy's Law, enough research will tend to support any theory. The more footnotes, the better. To steal ideas from one person is plagiarism; but, to steal from many, that is research according to Murphy.

I doubt if any such venerable institution as Murphy's Law School exists. In fact, I do not know of any law school in the country that even offers a course in Murphy's Law. However, I've found that Murphy's precepts apply in law school as much as anywhere else, if not more so, and it does not require classroom instruction to discover what they are.

Anything can go wrong on any given day. Take a rainy Monday morning for example. To start things off, your car won't start so you have to run down the street in the rain to the train station. You forgot your umbrella because you were in a hurry. You walk into class late attracting everyone's attention as you stumble to your seat juggling your books and out of breath. Then the professor calls on you as soon as you sit down. You flip through the pages of your notebook only to remember with horror that this was the case you had intended to brief before class that morning. Despite a valiant effort to save face, the professor leaves you stuttering like an infant in its crib.

After class, you head to the student coffee concession to get your fix for the morning. The coffee starts out in a trickle, then slows to a few drops leaving you with a quarter-inch of cold coffee in the bottom of your styrofoam cup. There is only one other alternative. DUM DA DUM DUM! THE CAFETERIA! You fear going there because they hold you up every time you step up to the cash

register. You've taken to carrying your VISA card because you don't like to keep the cash on hand required to eat there.

In the next class, you are called on again. This must be your day. But this time, you are prepared. With remarkable confidence and great oratorical skill that even Cardozo would have admired, you recite the facts of the instant case, the issue, and how the honorable court reached its conclusion. You lean back in your chair satisfied that you gave the best answer possible. Then the professor tells you that you missed the point entirely and should see him after class. "So what is the point?" you ask. "Oh," the professor replies. "The case law is still moving in this area. There is no point. That's the point."

After three classes, you are looking forward to a well-deserved break, an entire hour off to rest, relax, and regroup during lunch. As the hour draws to a close and you head towards your next class, you realize that you just missed a meeting with the officers of your club and now they all hate you.

By the time you walk into your fifth class of the day, you're a mental marshmallow. The girl sitting next to you, the one who you have been wanting to ask out on a date for weeks but never had the courage to ask, tells you that you look awful. The last hour of class drags by at a snail's pace. Finally, the bell sounds. You gather up your five 5-lb. textbooks, your legal

pads, assorted notebooks, pens, and highlighters, toss them all into your L.L. Bean backpack, and waste 15 minutes trying to get the zipper unstuck, which causes you to miss the train. The next one does not come for another half-hour, so you sit there in the damp weather and think about your car. By the time you get home, you are soaked and chilled to the bone. You spend the evening at your desk wrapped in a dozen blankets snivelling over your contracts casebook.

Fortunately, most days are not quite as bad as my hypothetical. Nonetheless, law students could fill a few chapters in Murphy's casebook. Here are a few laws I've come up with:

— The most important point made by the professor in any class will be made in the five minutes after the bell has rung when you have already put your notebook away.

— In bad weather, the first free parking space will be the one furthest from the door.

— The number of times one is called on in class is inversely proportional to the number of times one raises one's hand.

— No matter where you sit, when you are called on, the microphone at your seat is never working.

— The day you are unprepared for class is the day you will be called on regardless of the fact that you were prepared every day for the past three weeks.

Corollary: If you are prepared, the moment you doze off, daydream,

or drop your pencil is the moment you will be called upon.

— The volume containing the controlling case for your memorandum will disappear two weeks before the memo is due and will reappear shortly after the due date.

— When you finally get to the cafeteria counter after waiting in line 20 minutes, the entree you wanted will not be available.

— The best-looking girls in the class already have boyfriends. These are just off the top of my head. I'm sure I could come up with many more if I didn't have 30 pages to read in torts for tomorrow.

If Murphy's Law leaves us with anything, it should leave us with a good sense of humor. One day, we'll all be going to Bar Association happy hours to have a few laughs with others who thought they would never make it either. Just think how silly our early study habits will seem when we actually briefed every case and took notes on our notes. We will look back and laugh on the days when our professors took a word that, in plain English, seemed to make absolutely perfect sense, and gave it a new definition that made absolutely no sense at all. So the next time the professor calls on you in class, laugh! It will make you feel better, especially if you don't know the answer. Keep in mind that you can't be any worse off than the guy (or girl) who missed it before you. And remember, Murphy was an optimist!



# NEWS

## Salvadoran Seeks American Awareness

# Arene Attacks U.S. Policy in El Salvador

by Scott Fegley

In December, Villanova Law School hosted El Salvadoran revolutionary leader Alberto Arene. Arene addressed a group of 20 to 30 students who took time out from their exam schedule to listen to a scathing indictment of U.S. policy in El Salvador.

Arene began by commenting that he was once interested in the study of law until he realized that the El Salvadoran Constitution was not respected by the governing elite. Since that time, he has dedicated himself to changing the form of government in El Salvador.

Arene wasted little time in attacking the Reagan Administration for its policies in Central America. U.S. economic, political, and military support is primarily responsible for the preservation of a right-wing government which Arene labeled as neo-Nazi. He claims that the armed forces and the death squads operating under government auspices are responsible for over 50,000 Salvadoran deaths in five years of fighting, including those of Archbishop Romero, the former head of the Catholic Church in El Salvador, the director of the national univer-

sity, thousands of students and professors, and the entire council of the Democratic National Front.

"To the average American, that would be similar to 2.3 million Americans killed in five years of civil war with the head of the Ku Klux Klan as the leader of both houses of Congress," Arene said. Yet, not a single military official has been brought to justice. Roberto D'Abuissou, a military general and a candidate in the last elections for the El Salvadoran presidency, is known to have links to the death squads; yet, he maintains a central position in the government.

"The U.S. seeks to bring democracy to El Salvador; yet, it supports a government which will not allow labor unions, freedom of the press, or genuine political campaigning," Arene added.

Arene finds the ignorance of the American people concerning the Reagan Administration's policies in Central America even more distressing than the policies themselves. The Reagan Administration's propaganda efforts have attempted to create an East-West confrontation out of the El Salvadoran conflict that does not exist.

"The El Salvadoran Revolution is El Salvadoran, not communist," Arene said. "It seeks to install a socialist government



Courtesy: The Villanovan

Alberto Arene, FMLN representative

representative of the people instead of the 14 ruling families that now control the government."

U.S. involvement in El Salvador is a continuation of a predictable Latin American policy that goes

back as far as the Monroe Doctrine, and traditionally disrespects the sovereignty of Latin American nations. It does not like to see non-alignment. It follows the old Dulles maxim of, "If you're not with us, you're against us."

The U.S. tends to support a right-wing dictatorship that will carry out U.S. foreign policy rather than permit a country to establish its own foreign policy. The U.S. has not heeded the advice of the member nations — of the Contadora group, including Mexico, that seek an end to U.S. intervention and a Latin American solution to the El Salvadoran conflict.

Arene feels that the U.S. has but two options in El Salvador: direct intervention or political negotiations with the opposition. The U.S. policy of military support has failed. In 1980, the El Salvadoran army controlled almost the entire country. Since then, it has quadrupled in size, bolstered by more than \$1 billion of United States military aid. Yet, despite this, it has lost one-third of its forces and one-third of the country.

Meanwhile, the opposition continues to grow in force and enjoy

stunning military successes such as the taking of Suchitoto, a mere 25 miles from the capital, San Salvador. The Pentagon had once thought this to be impossible.

The opposition that Arene speaks for prefers a political solution to the conflict. They seek a democratic system for El Salvador complete with national self-determination and non-alignment. They hope to establish a peace which will lead to economic recovery and stability for El Salvador.

Arene's lectures are an attempt by the opposition forces to educate the American public as to what is really happening in El Salvador. Arene stated he was not seeking solidarity of the American people with the El Salvadoran cause, but a realization among the American people of the possible consequences of U.S. intervention.

"A war in Central America would make Grenada look like a walk in a rose garden," Arene warned. He claims the U.S. is too crisis-oriented; its actions are often too much too late, and it has a short memory of history. "It is time for a change," Arene said. "It is time for the clearing up of misconceptions among the American people."

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## DOCKET changes hands

On January 11th, the leadership of the *Docket* changed hands in a brief meeting before the Friday night TGIF on January 11. The newspaper will now be run by an editorial board of five people consisting of the editor-in-chief, the features editor, the photography editor, the sports editor, and the production manager.

This format is different from the past in that it adds two more people to the decision-making mechanism of the *Docket* staff. Previously, all the decisions had been made by a board of three people, Ted Watkins, Mary Porter,

and Tom Thornton, who held the three top positions. Each member of the new board will have an equal vote, although the editor-in-chief will preside over the staff meetings and act as liaison between *The Docket* and the faculty and the administration.

In the editor-in-chief spot will be Scott Fegley, a first-year student from Doylestown, Pa. Dan Weisman, a second-year student from Levittown, Pa. will take over as features editor. Andrew Wohl, a second-year student, will be the photography editor. Kevin Mc-

Kenna, a second-year student, continues as sports editor. Finally, Sue French, another first-year student from nearby Media, Pa. will be the new production manager.

New associate editors are Herb Abramson, Barb Dively, and Jill Cheilik. Jeff Homel replaces Sue Verona as Business manager. His assistant will be Gilla Mendels. Paul Missan and Valerie Harrison join Andrew Wohl as photographers. Other new staff members include Lance Evans, Diane Kercimar, Chris Flowers,

(Continued on page 9)

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Professor Marcus Schoenfeld cautiously awaits this year's Law Revue show. Tryouts for writers and actors will be beginning soon.



# REPORT ON POCONO SKIING

by The Snow Bunny

Winter has finally arrived in Pennsylvania bringing with it over a foot of snow to the Pocono Mountain region in the past two weeks. All major Pocono resorts are operating offering a variety of ticket options for day and night skiing. They have also been making snow around the clock in an effort to open as many trails as possible to skiers.

Lake Harmony reports a 24 to 54-inch base with 11 slopes open and 7 lifts operating. Jack Frost-Big Boulder reports a 24 to 64-inch base with 20 slopes open and 7 lifts operating. Shawnee-on-the-Delaware has a 15 to 40-inch base. Sixteen trails are open with 6 lifts operating. Elk Mountain has a 20 to 60-inch base. Eleven slopes are open with 7 lifts operating. Camel-

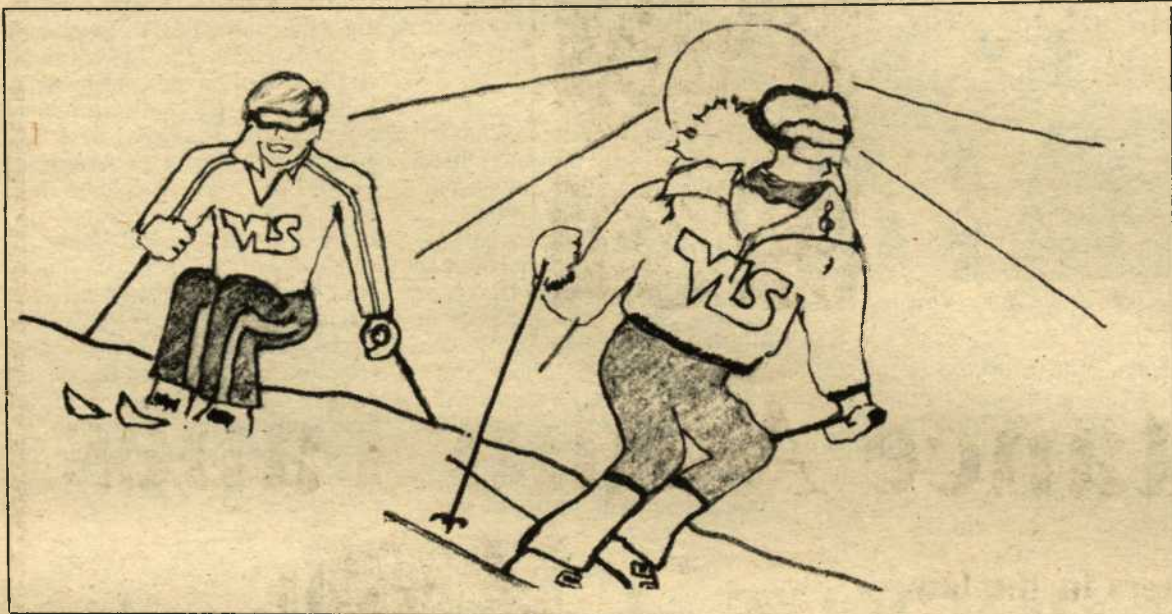
back reports a 24 to 64-inch base with 20 trails open and 11 lifts operating. All areas offer night skiing.

The Snow Bunny spent the past weekend checking out the conditions at Camelback. Despite some icy spots and long weekend lift lines, the skiing was good to excellent. The mountain received a couple more inches of fresh powder over the weekend on top of its already substantial base. If you are planning a trip to Camelback, the Snow Bunny recommends you start early and take advantage of the \$21 day ticket. If you are there when the slopes open at 7:30 a.m., you can get your best runs in before the lines form. Lines also tend to disappear between 1 and 2 p.m. as most skiers take their lunch break. The Kettle and Fireside Lounges provide some apres ski

excitement and a place to warm your toes after a good day on the slopes. For more information, call Camelback at (717)629-1661. For up-to-the-minute reporting of the conditions at all major Pocono ski areas, call 1-800-POCONOS.

Speaking of snow, the Villanova Law School parking lot reports a 5 to 10-inch base of natural snow. Although you won't find much excitement on your skis, a spin in your automobile can provide you with a first-class thrill.

Persons who have paid \$50 for the season tickets to the parking lot will not be charged extra for this rapidly growing pastime. All others will be charged a small fee upon entering to help the University maintain the parking lot in a safe condition throughout the year.



## VLS GOES SKIING

by Y.B. Natural

The idea of a V.L.S. Ski Association was formed by self-proclaimed ski czar, Paul Brinkmann, and fellow second year students while seeking refuge on a cold January night at "The Greeks" in Narberth, Pa.

After submitting a proposal to the dean, the Association was granted approval. Czar Brinkmann then schussed his way into the S.B.A. budget hearings. To the surprise of everyone, including himself, the czar skated away with \$170 of S.B.A. cash which had been earmarked for the Women's Law Caucus to purchase more cards for their bulletin board.

The first event of the season

will be a fun-filled night-trip to scenic Doe Mountain in the Alplike regions of eastern Pennsylvania. The event is scheduled for Thursday, January 31st. The faculty has been kind enough to cancel Friday classes for VLSSA members.

The VLSSA members will be entitled to such benefits as free ski lessons (from the czar himself), discounted lift tickets, discounted rental equipment, transportation, and golden beverage. All students, faculty, and alumni are encouraged to participate. For further information, check the bulletin board or contact the czar personally at the ski hotline number, 664-0384. The VLSSA does not discriminate on the basis of race, sex, religion, or class rank.

## AFTER HOURS

by Babs Silverberg and Liz Latham

Hey kids! Welcome back to V.L.S. Hope everyone had a merry Christmas and a happy Chanukah. For those of you who came back with a tan — please leave. And now for something completely different... Was that really a law school "Welcome Back" party held recently? Well, from what we hear things were a bit romantic — and they say romance is dead at V.L.S. I say it never went out! What does the 100 Days Party have in store for us? Stay tuned... Tell us P.F. — what did your Super Bowl outfit look like? ... As previously done last semester, section A is scheduled to meet every Friday afternoon at that illustrious inn along the Main Line — Gullifty's. For those of you with insufficient funds, there's always Kelly's... We are forever indebted to the administration who

gave the first years those rude 8:40's everyday... Don't you love how we were told the schedule for next year? You must be kidding. We don't even know if we'll pass this year... Mazel tov to Prof. Sirico who got hitched over vacation. Way to go! By the way, what was your prize for being an expert in the limbo contest? ... Anyone interested in having a certain first year girl in section A, who recently threw a "simply marvelous" surprise party for her sister (but of course, I wouldn't mention any names) mix drinks for you at your next social event — beware! ... Congrats to Justin McCarthy who over break submerged himself into wedded bliss... We also hear that a certain sexy Phillipino recently became engaged. (How's that, Jude?) ... Well, that's life as we look out over our Main Line mini-estates. Ta Ta — Babs and Liz.

Babs Silverberg and Liz Latham are full-time Villanova Law students and part-time Main Line socialites.

## Role of Law in International Development

Clarence Mann, currently counsel for a major international law firm in Washington, D.C., and past director of Appropriate Technology International, will speak about "Business Involvement in International Development — Roles for the Lawyer," at V.L.S., Rm. 29, on Thursday, January 31, 1985, at 7:30 p.m. The program is sponsored by the International Law Society.

"Mr. Mann has developed a truly innovative and creative approach to meeting the technological needs of developing countries," stated John Murphy, Professor of International Law. "He has shown the way in which creation of a lasting partnership between government and the private sector might greatly enhance international economic development."

In his talk, Mann will address the way in which businesses can satisfy their own objectives for successful international growth while at the same time using their capacities for creating wealth and engendering management skills and technological innovation to meet the development objectives of foreign nations.

Mann has an extensive background in law, international development, and business. Prior to becoming counsel to a law firm in Washington, D.C., Mann served as general counsel to Sears International. He served as Executive Director of Appropriate Technology International, an organization that stresses the need for the implementation of technology appropriate to current and future needs of developing nations.

The program is also open to the public. It will be followed by a wine and cheese reception where participants may discuss the issues personally with Mann.

# THE SOCIAL DOCKET

January

- 25 "Never Say Never," C.C. Cinema — 6:45 & p.m.
- 26 Billy Ocean concert
- 27 "Carmen," C.C. Cinema — 3:30 & 7 p.m.; men's basketball at Maryland (NBC, 2:30 p.m.)
- 28 "Carmen," C.C. Cinema — 7 p.m.
- 29 "The Return of the Pink Panther," C.C. Cinema — 6:45 & 9 p.m.; men's basketball vs. Pittsburgh (Palestra, ESPN, 8 p.m.); Twisted Sister, Iron Maiden concerts
- 30 Sixers vs. Celtics (Spectrum)
- 31 "The Revenge of the Pink Panther," C.C. Cinema — 6:45 & 9 p.m.; Flyers vs. N.J. (Spectrum)

February

- 1 Men's basketball at Syracuse (ESPN, 8 p.m.); Sixers vs. Chicago (Spectrum)
- 2 "The Dresser," C.C. Cinema — 7 p.m.; Flyers vs. Buffalo (Spectrum)
- 3 "The Dresser," C.C. Cinema — 3:30 & 7 p.m.
- 4 "The Dresser," C.C. Cinema — 7 p.m.; Sixers vs. Atlanta (Spectrum)
- 5 "Big Jake," C.C. Cinema — 6:45 & 9 p.m.; men's basketball at Connecticut (8 p.m.)
- 7 "Blue Thunder," C.C. Cinema — 6:45 & 9 p.m.; Flyers vs. Los Angeles
- 8 "Blue Thunder," C.C. Cinema — 6:45 & 9 p.m.
- 9 Men's basketball vs. St. John's (Spectrum, CBS, 2 p.m.)
- 10 "Star 80," C.C. Cinema — 3:30 & 7 p.m.; Flyers vs. Rangers (Spectrum)
- 11 "Star 80," C.C. Cinema — 7 p.m.; men's basketball at Georgetown (ESPN & MetroSports, 8 p.m.)
- 12 "Romeo and Juliet," C.C. Cinema — 6:45 & 9 p.m.
- 13 Crimes of the Heart, Vasey theater; Sixers vs. N.Y. (Spectrum)
- 14 VALENTINE'S DAY "Love Story," C.C. Cinema — 6:45 & 9 p.m.; Crimes of the Heart, Vasey theater; Flyers vs. Quebec (Spectrum)
- 15 "Love Story," C.C. Cinema — 6:45 & 9 p.m.; Crimes of the Heart, Vasey Theater; Sixers vs. Cleveland (Spectrum)
- 16 Crimes of the Heart, Vasey theater; men's basketball at Boston College (MetroSports, noon); Flyers vs. Edmonton (Spectrum)
- 17 "Celeste," C.C. Cinema — 3:30 & 7 p.m.
- 18 "Celeste," C.C. Cinema — 7 p.m.; Flyers vs. Pittsburgh (Spectrum)
- 19 Men's basketball vs. St. Joseph's (Spectrum, PRISM, 9 p.m.)
- 20 Crimes of the Heart, Vasey theater; Sixers vs. Golden State (Spectrum)
- 21 Crimes of the Heart, Vasey Theater; "Vacation," C.C. Cinema — 6:45 & 9 p.m.; Flyers vs. Toronto (Spectrum)
- 22 Crimes of the Heart, Vasey theater; Sixers vs. Detroit (Spectrum)
- 23 Crimes of the Heart, Vasey theater; Deep Purple concert; Law Review Symposium — "Federal Rules of Evidence"

## PHILADELPHIA OFFERINGS

HOME SHOW, Civic Center, Jan. 26-Feb. 3. Mon.-Wed., 5-10; Thurs., Fri., 11-10; Sat., Sun., 10-6. \$4, under 12 free.

ART MUSEUM, 26th & Parkway. Through Jan. 31; "Bill Brandt; Vintage Photographs." Through Feb. 17: "All American: Photographs by Burk Uzzle." Open Tues.-Sun., 10-5; free on Sun 10-1.

INSTITUTE OF CONTEMPORARY ART, 34th & Walnut, through Jan. 27; "Still Life; Hollywood Photographs." Also an exhibit of 60 photographs by Cindy Sherman. Tues., Thurs. & Fri., 10-5; Wed., 10-7; Sat. & Sun. noon-5.

NATIONAL MUSEUM OF AMERICAN JEWISH HISTORY, Independence Hall East. Through March 31; "The Face of History; Portraits from the Collections." Sun., noon-5; Mon.-Thurs., 10-5.

PENNSYLVANIA ACADEMY OF FINE ARTS, Broad & Cherry Sts. Jan. 26-March 17; "Alice Neel; Paintings Since 1970;" through April 14; "A Growing American Treasure; Recent Acquisitions and Highlights from the Permanent Collection."



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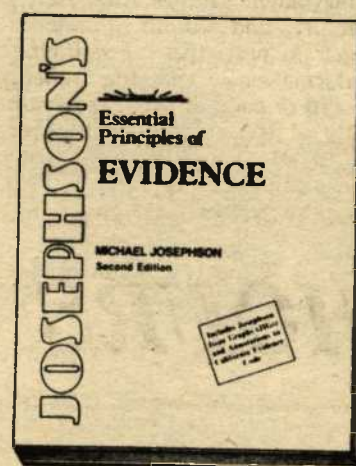
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## Reagan &amp; South Africa

## Business As Usual

(Continued from page 1)

wards South Africa. The policy is similar to the "quiet diplomacy" approach used by the Reagan White House in its relations with Latin American dictatorships, which has proved to be an abysmal failure. Under "constructive engagement," direct and open criticism is avoided in favor of behind-the-scenes pressure, while normal business investment continues unabated. Current U.S. corporate investment in South Africa totals 14.6 billion dollars, and includes such giants as Citibank, Mobil and Firestone.

Most of the opposition to apartheid among whites, however, comes from the English speaking community, and in particular, Jews. This is true despite the fact that South Africa enjoys a warm relationship with Israel. Stevens, for example, pointed out that the South African riot police are trained by the Israelis. Stevens made it a point to emphasize that he believed that the participation of white South Africans was essential in the peaceful struggle for meaningful change in South Africa. This is why he urges those white South Africans who have left their country in disgust, to return to work for change within South Africa.

Stevens said that "constructive engagement" has meant that black and white South Africans

can now use the same toilet and now wait on the same queues at the post office for stamps, instead of separate queues based on color. Any other changes, Stevens attributed to demographic changes within South Africa society itself.

If a certain, limited number of blacks are now allowed to study in South Africa universities, for example, it is the result of rapidly declining birthrates among whites, and has nothing to do with "constructive engagement." Stevens said he found it funny that Mr. Reagan, when he met Bishop Tutu last December at the White House, lectured the Bishop on the success of "constructive engagement." This despite the fact that Mr. Reagan has never set foot in South Africa. Bishop Tutu, for his part, has labeled constructive engagement an "unmitigated disaster."

Stevens concluded his remarks by stating that he felt optimistic that meaningful change would soon be coming to South Africa. He said the black movement has learned a lot from its past experiences and mistakes. Its leaders now work from behind the scenes, instead of up front where they are easy targets for arrest and torture. Instead of holding peaceful demonstrations which only result in the needless deaths of young people, massive school boycotts are held instead. "The entire

black community," Stevens said, "now understands the importance of everyone's participation in a work stoppage, when a strike is called."

To further their goal of separation of the races, there are laws in South Africa which forbid racial inter-marriage and punish it with imprisonment. All blacks are required to carry pass books which list the "Bantu homeland" where the holders are supposedly from, even though neither they nor their parents may have ever set foot there. Failure to carry a pass book means imprisonment. In addition, a black South African found in a white area after certain hours can also find himself jailed. Because blacks are denied any form of participation in the political system, they are unable to make any changes in the system through the democratic process.

Stevens emphasized that not all whites in South Africa are happy with the present system of apartheid. Many whites, including several prominent members of the usually arch-conservative Afrikaaner community are actively working to abolish apartheid. This has resulted in many of them being "banned" by the authorities. This means their names can never be mentioned in the South African Press, and if they are authors, their books can't be published or sold in South Africa.

## REAGAN &amp; SOUTH AFRICA

by Tom O'Keefe

The press has recently been filled with stories concerning the Reagan Administration's condemnations of the South African government and apartheid. A brief survey will reveal, however, that like most things, the Administration does not practice what it preaches when it comes to official policy to South Africa, particularly when there's a fast buck to be made.

Despite a 1977 United Nations arms embargo to which the United States is a signatory, the Reagan State Department has lifted export restrictions on military equipment, and equipment with military potential, on its roster known as the Munitions List. In the first quarter of 1984, equipment licensed for export to South Africa exceeded 88 million dollars. Between 1981 and 1983, the Reagan administration permitted export of 28.3 million in Munitions List equipment in 29 separate license approvals. By contrast, the Carter administration issued no licenses in 1980, and in 1979 issued permission for only 25 thousand dollars in Munitions List items.

According to Congressman John Conyers of Michigan, the equipment approved by the Reagan administration includes military and space electronics, optical and guidance equipment, and aircraft and technology used in the manufacture of arms.

Under Reagan, Conyers notes, the U.S. Commerce Department has permitted the sale of computers to agencies of the South African government that enforce apartheid, including the Ministry of Cooperation and Development, the Ministry of Interior, the Ministry of Manpower, and the Ministry of Justice. Furthermore, changes in the Commerce Department export regulations permitted the sale of U.S.-made Beech and Piper aircraft, designated as "medical supplies," to the South African Air Force in 1982. These plans are used for reconnaissance and intelligence gathering, and may be employed in the Namibia war.

Despite South Africa's refusal to adhere to the Nuclear Non-Proliferation Treaty and accept International Atomic Energy safeguards, the United States has expanded nuclear cooperation with the South African regime. In March 1982, the Reagan administration granted an export license to Control Data Corporation to sell South Africa's Center of Industrial and Scientific Research, a leading defense research outfit, a Cyber 175/750 computer. This computer can be used to model nuclear explosions, and its sale was not approved by the Carter administration for precisely that reason.

Under the Reagan White House, the United States has expanded contact with the South African military and police. In 1982, the Commerce Department approved the export of 2500 electric shock batons to the South African police. In 1981, the United States helped to train the South African Coast Guard. The Reagan administration has also upgraded its military attaché office at the U.S. Embassy in Pretoria, and has allowed the South Africans to do the same here. Lastly, since 1981, official intelligence contracts have resumed between the United States and South Africa, as have official nuclear advisory contacts.

## A Time-Tested Tribute

by Jackie Shulman

He is a very special person. I don't tell him that enough. I don't have the time. I am a second year law student and I'm very busy. I could not do it without him.

We met in 1960. Times were simple. John Kennedy was running for President. Grass was the green stuff you cut with a mower. No one knew much about a faraway place called Vietnam. "Girls" did not go to law school. They were "allowed" to become teachers or nurses. After all, they were only biding their time anyway . . . waiting for their knights in shining armor to arrive and whisk them away to married life, two kiddies, and a split level in the suburbs.

Once married, the "girls" would be staying home "forever."

No sense in "overeducating" them. I became a teacher (I have this thing about bedpans.) I worked for four years while he completed his graduate training. We had two sons.

It was 1970. We had lost two Kennedys. Vietnam was a household word. Many women were raising their consciousness. Most men were resisting raising theirs. A few "women" went to law school . . . very few. I wanted to be one of those women. He understood. The time was not yet right. We had a third son. Life was very good. I worked . . . part time. I was "civically" involved. It wasn't enough. Why? It was supposed to be. He understood and he encouraged me.

It was 1980. The youngest

Kennedy realized he would never be President. Vietnam was history. Lots of women were going to law school. It was time. He promised to be "supportive." What did that mean?

It was 1984. I am a 3L at VLS. In the past thirty months, I have been intimidated, nauseated, frustrated, elated and deflated. And yet . . . through it all . . . He has been there when I needed him. Willing to give more each time I asked. Learning to give without being asked. Willing to take less when I had but a little left. Basking in my victories. Massaging away my defeats. Nothing special you say. Maybe not . . . for someone two score plus a few. Very special for a knight in shining armor . . . vintage, 1960.

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# OFF THE HOOK

by Sean Abdul O'Grady

Abdul's mad as a castrated camel in heat, and he's not going to take it anymore!! Who does that new editor-in-chief think he is anyway!?! You can't trifle with Abdul and the sports staff in this way. Abdul might even have to walk. Then we'll see who has the last laugh and laughs last, that is, of course, unless the 45-second clock runs off first.

They think that they can put out a paper by themselves, huh? Well 'ol Abdul'll just see. After all, would you stick around after being misled by a conniving editorial board for two-and-a-half years?

When Abdul first signed on to write for this **Yellow Rag** the editor-in-chief promised that the ever-intrepid **Docket** sports staff would be given a new office. How much longer can the sports staff be expected to turn out such high quality filler (oops, Abdul meant "articles") when we are housed in the locked stall on the hall end of the men's room near the 1-L lockerroom? Abdul has gotten comfortable kneeling on the floor and typing on the lid, but the sports editor never has quite got-

rude awakening. The construction manager and five or six workers with crowbars and sledgehammers ran Abdul off the site. Abdul was mortified! Those lousy liars. Abdul will never write another word for the ----- **Docket**. How could Abdul believe 'em? Never again will Abdul write for people like that. Com-mo-de prose . . . never again for this Irish-Muslim. Don't even ask, Mister New Editor-In-Chief. Abdul ain't even listenin' until the sports staff gets out of the bathroom and into someplace where we really belong.

So, ya always wanted to be a rough and tumble fireman, huh buddy. Well then, Abdul has got the job for you! Who needs Ginny! The job: fireman/bodyguard for "Smokey Jeff" Lessin. You ask, "Why does 'Smokey Jeff' need a personal fireman/bodyguard?" It's a short story, but Abdul'll stretch it out for you.

It was a dark night. So dark that Marcus Schoenfeld had to stand at a certain spot on the lawn to reflect the street light on to the front door so Smokey could find

bat. He would teach those burglars a thing or two.

The living room and the kitchen area were still thick with smoke as he began to search. Smokey's attention was drawn to the open living room window by a bright light that was shining in through it.

As Smokey advanced a large gloved hand thrust through the screen and began to climb into the apartment. Smokey raised the bat to deliver a crowning blow, but the doorbell interrupted. The gloved hand was still fumbling around trying to open the screen so Smokey, in his shorts with a baseball bat, retreated to open the door. Maybe whoever was outside would help him. Or, maybe this whole thing was a giant concerted effort . . . maybe Tom O'Keefe had managed to get together that army and was beginning his assault on capitalism at Smokey's door.

He opened the door slightly. A man in a rubber suit with a helmet shoved the door completely open and said: "Excuse me, Mr. . . . Lessin, is it? One of your neighbors spoke a fire when they saw smoke billowing out of your windows. As the fire department we need to get inside and make sure nothing is burning. Step aside, please."

Besides a lot of laughs, another good thing came out of this experience. Abdul did something that Professor Barry said he would never be able to accomplish; Abdul learned something: Don't burn your burgers before they have hatched or learned their lessons. (At least that is what Lenny said Abdul should have learned.)

Several issues ago Abdul wrote of the vicious attack on a bus load of senior citizens by people in the streets of Detroit after their Tigers had won the World Series. On Veteran's Day Mayor Coleman Young of Detroit, invited the senior citizens back to Detroit and gave them all keys to the city. They did not get their stolen luggage back, but one woman said, "You all know that we forgive you."

The nation's largest gun manufacturer, Smith and Wesson, is having real problems with the driving range they built for their golfing employees. The range opened on October 18, but had to be closed only a week later due to problems with sea gulls from the Connecticut River. The gulls, unable to read the "XXX-Range" markings on the balls, must have figured that the balls were some type of exotic land-based shell fish. The gulls picked up the balls, carried them high in the air, and dropped them in hopes of cracking them open and revealing meat inside.

"I lost about 500 balls and I started seeing them all over," said Alfred Stafford, the man responsible for the range. "My first impression was that the fellows here were hitting them all over the place. But then I realized that no one in his right mind would hit them there." Stafford figured out what was happening when reports of cars, people and buildings being bombed with golf balls started to pile up. At the moment, Smith and Wesson is trying to figure out what to do. Suggestions are welcome. Perhaps Dave Winfield could help them out.

Chester County Hospital in West Chester, Pa., had better have paid up their malpractice insurance. On November 10, Larry Collins, a defensive end for Cheney State, injured his knee in a game against Shippensburg. Nine days later he underwent surgery for his injury. The only problem is that the first time the doctors performed the surgery they did it on the wrong knee. Shortly, they dis-



"Hey Buddy, I don't know where you come from, but we do things a little different here at Garey Hall. I know he's no sheep, but you keep your hands off of Chief. HE'S MINE!"

covered their mistake and did the correct knee. Collins said, "When I woke up I found out they had operated on the wrong knee." He added that he could "kinda tell" that the surgeon was about to operate on the wrong leg, but he was too "dopey" to speak. The hospital issued a statement that "a diagnostic practice was performed on the wrong knee of a patient." The statement went on: "The hospital's insurance carrier has been called in, and we are waiting for a report. The hospital management is very concerned about this situation. However, it appears that no permanent damage has been done to the patient, and he is recovering normally." Abdul'll tell ya, where is that Ellen Wertheimer when you need her?

Ray Didingier of the **Philadelphia Daily News** has a hard time conceptualizing the fact that Don Shula is a grandfather. "What do you see? a jut-jawed football coach leaning over the table with his arms folded. As he talks the veins bulge in his neck."

"You call that a first step? Keep it up and you'll be drafted by the Oilers . . . And those Muppets are out of position. Put Kermit on the strong-side where he belongs. C'mon, hustle!"

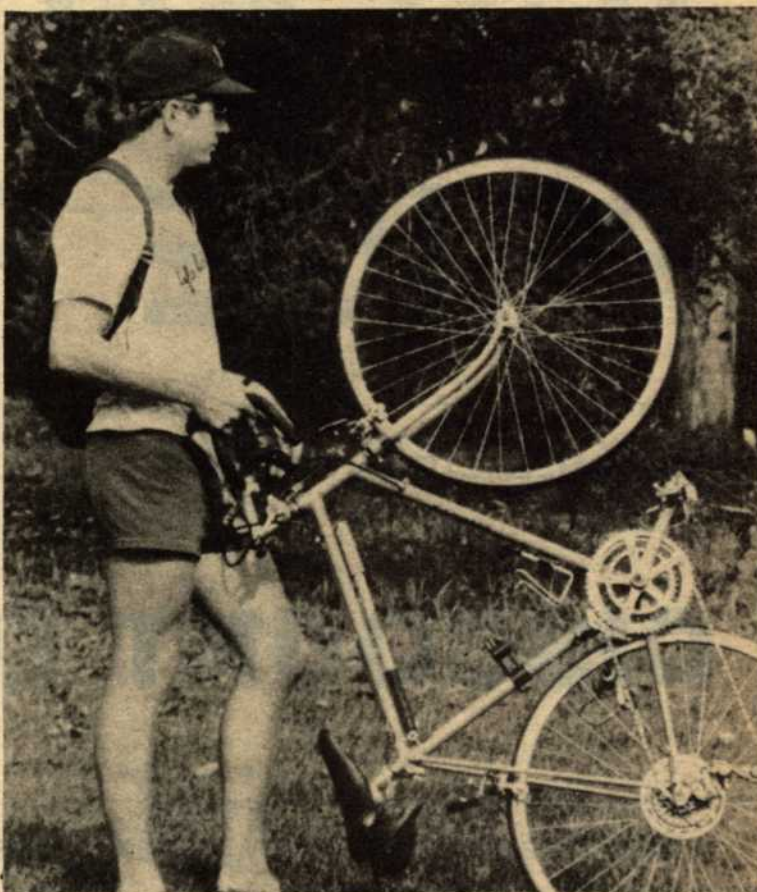
Swarthmore College has found a way to stop their football team from winning without firing Tom Lapinski, the man who has coached them to a 30-6 record over the past four years. They have announced that Swarthmore is upgrading the football coach's position from part-time to full-time. Lapinski has been invited to apply for the job, but school officials are conducting a "nation-wide" search for a coach. Swarthmore football tri-captain Dom Lepone said, "I don't think he'll get the job because this is the

administration's way of getting rid of Coach Lapinski." Over the last couple of years there has been heated controversy on the Swarthmore campus over whether an academically oriented school should have a winning football team. Abdul has a suggestion: since Villanova wants football so bad, why doesn't the whole Swarthmore team transfer here and then they can start all over down south. After all, a new program is guaranteed to be a loser and that is just what they are looking for.

In 1980 the University of New Mexico Lobos suspended a 6-10 center named Larry Hubbard who had listed credits on his junior college transcript that he had never earned. The scandal cost Lobo coach Norm Ellenberger his job and put the Lobos on NCAA probation. This year New Mexico opened their basketball season against Morgan State in Baltimore, Maryland. Coincidentally, Norm Ellenberger, who is now a coach in the C.B.A., was sitting in the stands as a spectator. When Morgan State took the floor, Ellenberger had a deja vu. The starting center was none other than Larry Hubbard who went on to score six points and pull down nine rebounds as New Mexico coasted to win.

When Tom Dean, the coach of Morgan State, learned of his walk-on freshman center's past, he threw him off the team. Dean, who is also Athletic Director, said he took Hubbard on the recommendation of alumni: "We saw how good he was and we took him in. There is a possibility he was never enrolled in school." How did Hubbard feel? "This could hurt my career. I just wanted to play some ball because I love basketball."

(Continued on page 10)



Who was it who said, "The law is just a matter of spinning your wheel."



The new VLS cheerleading squad practices the ultimate cheer: the Bob Barry toss. A truss will be supplied to each member by chief's Truss-O-Rama.

ten the hang of rolling up his pant legs before he comes to work. One definite plus to the current arrangement is the endless roll of manuscript paper that hangs on the wall. You just thread it into your typewriter and away you go.

Abdul had high hopes. He was gonna move that rubber tree plant. Things were looking up when the editor-in-chief decided he could no longer put up with that stodgy, boring, traditionalist Thornton as sports editor and replaced him with the dynamic Kevin McKenna. Abdul had faith. Here was a sports editor who could get something done. A sports editor who could penetrate and dish off (McKenna's girlfriend, Veranda Porch, confirmed this fact to Abdul at Kelly's the other night). At this McKenna would finally get the sports staff an office independent of the Tidy Bowl Man (he kept zooming around the tank and getting all of Abdul's columns wet). But, alas, this McKenna turned out to be a limp-Richard just like all the previous sports editors. So far he hasn't been able to do a thing about our new office.

Was it a conspiracy? Why didn't anybody tell Abdul about it sooner? Abdul had to find out for himself. All along each learned editor-in-chief (the new one being no exception) assured the sports staff that all the digging on County Line Road was the beginnings of a new **Docket** sports office. Abdul was so proud that his little heart almost burst, until a couple of days ago, that is.

Abdul wandered over to the construction site to take measurements for drapes and instead got a

the key hole. A hard night (Abdul assumes that Smokey had, as usual, spent the night Pulling the ol' library) had encouraged a ravenous appetite. Smokey decided to put a late-nite burger in the pan and sit down while it cooked. Thoughts of sugar plums were dancing . . . oops, wrong story.

It only seemed like a minute, but when Smokey opened his eyes the apartment was completely filled with thick gray smoke. He stood up and began to cough violently. Oh no, he thought, the apartment building is on fire! Suddenly he remembered the culprit: ground beef. The old fatted-cow.

Smokey rushed into the kitchen waving a towel to clear the smoke and help him find the stove. After burning himself twice, Smokey was finally able to shut off the flame. The pan looked like it had survived a nuclear war test. Still suffering the effects of a hard night, Smokey stumbled about opening windows to let the smoke out and then collapsed asleep on the bed.

"Fine," you say, "now you have told us why he needs a personal fireman. But, why does he need a bodyguard?" Well, you see, our tale of "Smokey Jeff" has not yet ended. (Don't you sort'a have the feeling that this is going to be a great story . . . the kind you'll tell your grandchildren?)

Smokey was lying in bed, sound asleep, when a large crash abruptly startled him out of sleep. "What's that," he thought, "Is someone breaking in?" Smokey jumped out of bed, much against the advice of his throbbing head, clad in only his Calvin shorts, and fumbled around for his baseball